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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---------------|----------------------|---------------------|------------------|
| 10/583,479 | 11/15/2007 | Olaf Simon | 12604/25 | 4951 |
| 26646 | 7590 | 05/25/2011 | EXAMINER | |
| KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004 | | | NGUYEN, TUYEN T | |
| ART UNIT | PAPER NUMBER | | 2832 | |
| MAIL DATE | DELIVERY MODE | | 05/25/2011 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/583,479 | SIMON ET AL. | |
| | Examiner | Art Unit | |
| | TUYEN NGUYEN | 2832 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 23 February 2011.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 14-27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 14-27 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. [US 6,425,468] or UK 2,100,069 in view of Reschovsky et al. [US 4,242,666.]

Yamamoto et al discloses a system comprising:

- drive units arranged on a movable part, each drive unit [figure 6] powered in a contactless manner by an inductive coupling to at least one primary conductor [5], wherein the movable part includes at least a linear drive [linearly movable] and wherein the primary conductor is inherently formed of a cable duct;

- a closed loop conductor [5];
- electronic circuit [figures 1-2]; and
- at least one secondary coil [24e] disposed around at least one U-shaped or C-shaped core, wherein the primary conductor *adapted to power the drive unit in series*.

Yamamoto et al. discloses the instant claimed invention except for at least one of primary conductor and the drive units fixed relative to each other.

Reschovsky et al. discloses a contactless system including

- movable unit [33]; and
- primary and secondary conductor coils [17, 18].

wherein the at least one of the movable unit, the primary and secondary coils fixed relative to each other.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the *fixed arrangement of Reschovsky et al.* in Yamamoto et al. for the purpose of enhancing induction coupling.

Regarding claims 14 and 27, UK 2,100,069 discloses the instant claimed invention except for for at least one of primary conductor and the drive units fixed relative to each other.

It would have been obvious to one having ordinary skilled in the art at the time the invention was made to use the *fixed arrangement of Reschovsky et al.* in UK 2,100,069 for the purpose of enhancing induction coupling.

Regarding claim 26, Yamamoto et al. inherently discloses the drive unit does not include a plug-and-socket connector or other electrical connection terminals on its exterior.

Regarding claim 24, Yamamoto et al. discloses the instant claimed invention except for the specific of the primary conductor.

The specific coating/covering/encapsulating of the primary conductor would have been an obvious design consideration for the purpose of providing protection/insulation.

Regarding claim 25, the specific arrangement of the drive unit would have been an obvious design consideration based on the intended applications/environments uses.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUYEN T. NGUYEN whose telephone number is (571)272-1996. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ELVIN ENAD can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/TUYEN T NGUYEN/
Primary Examiner, Art Unit 2832